

Appl. No. 09/964,364
Art Unit 1764
December 4, 2003
Reply to Office Action of July 8, 2003

REMARKS

Applicants respectfully request the Examiner to reconsider the present application in view of the foregoing amendments to the claims.

In the present amendment, claim 12 has been canceled, and claims 1-11 have been amended. Thus, claims 1-11 are pending in the present application. No new matter has been added by way of these amendments because each amendment is supported by the present specification.

For example, the amendments to claims 1-2 are supported by the present specification at page 2, line 8 to page 3, line 3, page 4, lines 10-20, Example 2, page 25 and the Figures. The amendment to claim 3 is supported in the same mentioned areas of the specification, such as page 4, lines 10-20. The amendments to claims 4-11 are obviously for clarification purposes, and are not narrowing in scope. For instance, a comma is inserted in some places for the mentioned claims. As another example, claim 7 has been amended to replace the "R-245fa/HF" with the proper chemical terms. Thus, the changes are editorial in nature, and Applicants reserve the right to pursue any equivalent feature of the claims.

The Abstract has also been amended to correct errors that are editorial in nature, and does not add any new matter.

Based upon the above considerations, entry of the present amendment is respectfully requested.

Appl. No. 09/964,364

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In view of the following remarks, Applicants respectfully request that the Examiner withdraw all rejections and allow the currently pending claims.

Priority for the Present Application

Applicants have properly claimed priority to parent Application Serial No. 09/101,809, filed July 23, 1998, when the present application was filed on September 28, 2001. Applicants respectfully submit that it is not necessary to file a new oath/declaration for the present application (please see Applicants' correspondence filed on September 28, 2001, which shows that priority to the parent application has been properly claimed, and that the present specification was amended to refer to the parent application).

Abstract

Applicants respectfully refer the Examiner to the amended Abstract of the disclosure. No objectionable phrases appear in the present Abstract. Applicants respectfully request the Examiner to withdraw the objection to the Abstract. Applicants also add that the present specification has been reviewed for any typographical errors.

Appl. No. 09/964,364

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Issues Under 35 U.S.C. § 112, Second Paragraph

Claims 1-12 stand rejected under 35 U.S.C. § 112, second paragraph, for reasons of indefiniteness. Applicants respectfully traverse, and reconsideration and withdrawal of this rejection are respectfully requested.

First, the rejection of claim 12 is rendered moot due to its cancellation.

Second, with respect to the other pending claims, Applicants respectfully refer the Examiner to the scope of the presented claims. Applicants submit that the pending claims recite clear and definite claim language. For example, the separation or purification process of claim 1 refers to how the bottom product that is obtained comprises 1,1,1,3,3-pentafluoropropane substantially free from hydrogen fluoride. Thus, the instantly pending claims fully comply with the provisions of 35 U.S.C. § 112, second paragraph. Accordingly, Applicants respectfully request the Examiner to reconsider and withdraw this rejection.

Allowable Subject Matter

Claims 1-12 would be allowable if rewritten or amended to overcome the issues recited under 35 U.S.C. § 112, second paragraph (at page 3 of the Office Action). Applicants respectfully submit that there now remains no outstanding issues, and respectfully request the

Appl. No. 09/964,364
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Examiner to declare allowable subject matter regarding the pending claims.

Conclusion

A full and complete response has been made to all issues as cited in the Office Action. Applicants have taken substantial steps in efforts to advance prosecution of the present application. Thus, Applicants respectfully request that a timely Notice of Allowance issue for the present case.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Eugene T. Perez (Reg. No. 48,501) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

Pursuant to 37 C.F.R. § 1.17 and 1.136(a), Applicants respectfully petition for a two (2) month extension of time for filing a response in connection with the present application. The required fee of \$420.00 is attached hereto.

Appl. No. 09/964,364

Art Unit 1764


December 4, 2003

Reply to Office Action of July 8, 2003

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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By 
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Attachment(s): Abstract

(Rev. 09/30/03)

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Art Unit 1764

December 4, 2003

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Abstract

There is provided an azeotropic mixture having 1,1,1,3,3-pentafluoropropane and hydrogen fluoride. Further, there is provided a process of separating/purifying R-245fa and/or HF from a mixture of R-245fa and HF wherein the mixture of 1,1,1,3,3-pentafluoropropane and hydrogen fluoride is subjected to a distillation step so that a distillate is obtained which has the azeotropic mixture of 1,1,1,3,3-pentafluoropropane and hydrogen fluoride, and a bottom product is obtained which has separated/purified 1,1,1,3,3-pentafluoropropane or hydrogen fluoride.